



Byron Shire Council



Minutes

Ordinary Meeting

Thursday, 27 August 2020

BYRON SHIRE COUNCIL

Ordinary Meeting Minutes
27 August 2020

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MINUTES OF THE BYRON SHIRE COUNCIL ORDINARY MEETING HELD ON THURSDAY, 27 AUGUST 2020 COMMENCING AT 9:09AM AND CONCLUDING AT 5:55PM

I2020/1243

PRESENT: Cr S Richardson (Mayor), Cr B Cameron, Cr C Coorey, Cr A Hunter, Cr M Lyon, Cr J Martin, and Cr S Ndiaye

VIRTUAL: Cr J Hackett and Cr P Spooner

Staff: Mark Arnold (General Manager)
Vanessa Adams (Director Corporate and Community Services)
Phil Holloway (Director Infrastructure Services)
Shannon Burt (Director Sustainable Environment and Economy)
Ralph James (Legal Counsel)
Andrew Pearce (Traffic Engineer) – Item 9.1
Chloe Dowsett (Coastal and Biodiversity Coordinator) – Item 9.2
Evan Elford (Manager Works) – Item 13.22
Heather Sills/Mila Jones (Minute Taker)

The Mayor opened the meeting and acknowledged that the meeting is being held on Arakwal Country and that we pay our respects to the elders past and present and extend our respect to the Bundjalung clans whose lands and waters are part of the Shire.

PUBLIC ACCESS

Prior to dealing with the circulated reports and associated information, a Public Access Session was held and Council was addressed on the following:

Public Access

Report No and Title		For/ Against	Name	Representing Organisation	Submission Received
6.1	Ordinary Meeting held on 25 June 2020	Against	John Anderson		Read out by staff member
9.1	Brunswick Heads Parking Scheme Review 2020 (Rescission Motion)	Against	Kim Rosen		In Person
10.1	Safer Communities – Waterlily Park	For	Suzanne Holt	Waterlily Park Play scape	In Person
13.7	Arts and Culture Policy-Submissions Report	For	Kerry Wright		In Person
13.17	Request for revocation of Dangerous Dog Order	For	Cathie-Anne McGrath		In Person
13.19	Unauthorised Dwellings Policy	Against	Duncan Dey		Zoom
13.20	Federal Village Project - Community Led Governance and Place Plan	For	Alan Goldstein	Federal Community Centre and Federal School of Arts Association	In Person
13.21	A request for a dedicated Jewish section at Clunes Cemetery	For	Simon McCormack	Byron Shire Chevra Kadisha	Read out by staff member
		Against	John Anderson		Read out by staff member

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13.24	Proposed lease to Brunswick Heads Surf Life Saving Club for redevelopment of the surf club	For	Raymond Linabury	Brunswick Surf Club	In Person
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PROCEDURAL MOTION

20-374 Resolved that Public Access be extended for an additional 45 minutes to 11am. (Richardson)

The motion was put to the vote and declared carried.

Public Access continued:

Report No and Title	For/Against	Name	Representing Organisation	Submission Received
13.27	Seven Mile Beach Road & Broken Head Reserve Road - Update	Against	Alison Drover	Zoom
13.28	Rail Corridor Revitalisation Project - Final Design and Approval to Tender	Against	Jan Barham	Read out by staff member
13.30	Byron Bay Rugby and Cricket Refurbishment and upgrade of Change rooms and Canteen Byron Memorial Recreation Grounds	For	Chris Cubis	Byron Rugby & Byron Cricket
14.6	Report of the Water, Waste and Sewer Advisory Committee Meeting held on 30 July 2020	Against	Matthew O'Reilly	In Person
9.3	Pedestrian Safety and Amenity in Suffolk Park	For	Donald Maughan	In person

Submissions

Subject	Name	Submission Received
The code of conduct vs the freedom of speech	John Anderson	Read out by staff member
Residential Parking Permits	Matthew O'Reilly	In Person
Fire Report	Jan Barham	Read out by staff member
Use of Data	Roz Goodchild	In Person

Question No. 1 Paid Parking

Roz Goodchild asked the following question:

Cr Ndaiye, would you and other councillors be open to taking paid parking off the table for 5 years, as TPS recommended last round, so that the Bruns community can work with Council to tweak the time limits and zones, just as staff are currently doing with the Mullumbimby Chamber of Commerce?

Cr Ndiaye provided the following response:

First of all, I think I have been misquoted there, I said "I do not think it should fall on the incumbent, on the new Council, on the first meeting of the new Council, for them to make such an important decision.

No I wouldn't consider putting it off the table for 5 years, I don't think that's reasonable and I think it is doing a disservice to the Brunswick community as has not putting it in two years ago. It would be irresponsible of us.

Question No. 2 Shovel Ready Infrastructure Projects

Matthew O'Reilly asked the following question:

Why have staff decided to keep the list of shovel ready infrastructure projects confidential in Report No. 13.26 Strategic Project Planning - Funding for "Shovel-ready" Infrastructure Projects? Surely a list of these projects should be provided to the public and not remain confidential.

The Director Infrastructure Services provided the following response:

The reason it was put in the confidential section was that it contains financial information which might have conflict for Council going on further for grant applications etc, because it does talk about our strategies, certainly going forward. In discussion with the General Manager a list of projects could be circulated without the financial details.

Question No. 3 Brunswick Surf Life Saving Club Rent

Ray Linabury on behalf of the Brunswick Surf Life Saving Club (the Surf Club) asked the following question:

Could Councillors please explain to the surf club why they are seeking to increase our rent by 6 times from the current rental of \$496 per annum to \$3,000?

The General Manager provided the following response:

With the project there is an extension of the footprint which I think everyone is well aware of. People are also well aware that the land, or the reserve that is in question, falls into the native title area. As part of staff discussing the lease with the [Surf] Club, they have also been talking through the lease with the native title interest and the additional rent was part of those discussions.

Obviously staff need to have that broader conversation with the [Surf] Club and the Councillors also need to consider whether or not the additional costs which are part of those negotiations are met by the [Surf] Club or are subsidised by Council through some sort of financial assistance, which would mean that the additional costs would then be part of its annual surf life saving budget across the Shire.

Apologies that this broader discussion hasn't been dealt with in depth but that was one of the issues and it is contained (I think) in the confidential attachment to the report for Councillors to consider and understand, so there will need to be some further discussions both within Council and with the Surf Club.

Question No. 4 Free Speech

John Anderson asked the following question:

Given that restricting free speech is a serious and vexing matter, and given that on the two occasions where Council staff have intervened in relation to my written input to Council meetings, they have done so by proposing that certain passages be deleted from my material in order to make it acceptable, have the staff obtained written advice from lawyers or from the Department of Local Government that clarifies the limits of the chair's power to chuck out my stuff, and have they forwarded same to the Mayor?

The General Manager provided the following response:

The General Manager has received written advice from Council's Legal Counsel in relation the powers of the Mayor as Chairperson in respect of Public Access submissions and questions which may impinge on Council's Code of Meeting Practice. The Mayor, through the General Manager, has been provided with that advice.

Legal Counsel has provided the Mayor with general written advice as to the Chairperson's powers in the management of Public Access.

No written advice has been obtained from the Office of Local Government, although verbal advice in respect of participation in Public Access sessions was obtained from the Office [of Local Government] in June 2020.

Question No. 5 Emergency Communications Plan In September 2017

Jan Barham asked the following question:

The Communications Committee determined that the document titled Draft Emergency Communications Plan be reported to the October 2017 council meeting and placed on public exhibition. I can find no record of the exhibition happening or a final document on council website, could this information be clarified please? When it was reported to the Audit, Risk and Improvement committee on 30 November 2017, it was confidential.

The question was taken on notice.

In accordance with clause 4.22 of Council's Code of Meeting Practice such that "only one Procedural Motion for extension to the Public Access part of the meeting ..." the Chairperson declared that the Public Access session had ended. All remaining registered questions, listed below, were deemed taken on notice.

Question No. 6 Occupancy Figures

Kim Rosen registered to ask the following question:

Have you received the memo from Council staff advising of the errors in the occupancy figures that went into the Staff Report, and given to you to use in your decision making?

Question No. 7 Parking Management Strategy

Rick Collings registered to ask the following question:

You've asked us if we would ever be willing to accept paid parking, but would Council ever be willing to work with us on a parking management strategy, that doesn't involve paid parking?

Question No. 8 Brunswick Heads rescission motion

Cameron Wills registered to ask the following question:

Why would any councillors want to reverse the unanimous and compassionate decision made on 25 June, when our Bruns businesses are hurting so badly and it's going to take most of us at least or more than a year, to recover?

The meeting adjourned at 11.04am and reconvened at 11.28am.

APOLOGIES

There were no apologies.

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for leave of absence

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Cr Martin declared a non-pecuniary interest in Report 13.6. The nature of the interest being that she is involved to varying degrees in 4 of the applicant projects. Cr Martin elected to leave in the Chamber and will not participate in discussion and the vote.

TABLING OF PECUNIARY INTEREST RETURNS

There were no Pecuniary Interest Returns tabled.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

20-375 Resolved that the minutes of the following meetings be confirmed:

- Ordinary Meeting held 25 June 2020
- Extraordinary Meeting held 30 July 2020

(Ndiaye/Hunter)

The motion was put to the vote and declared carried.

RESERVATION OF ITEMS FOR DEBATE AND ORDER OF BUSINESS

The Mayor suspended standing orders to allow for items to be reserved for debate, being:

STAFF REPORTS**Corporate and Community Services**

- Report No. 13.7 Arts and Culture Policy - Submissions Report
- Report No. 13.9 Council Resolutions Quarterly Review - Q4 - 1 April to 30 June 2020
- Report No. 13.10 Local Government NSW Annual Conference 2020
- Report No. 13.15 Delivery Program 6-monthly Report and 2019/20 Operational Plan Fourth Report - Q4 - to 30 June 2020

Sustainable Environment and Economy

- Report No. 13.18 Lot 12 Bayshore Drive - Site Strategy and Urban Design Protocol
- Report No. 13.19 Unauthorised Dwellings Policy
- Report No. 13.20 Federal Village Project - Community Led Governance and Place Plan

Infrastructure Services

- Report No. 13.22 Proposal to rename Granuaille Crescent Bangalow
- Report No. 13.24 Proposed lease to Brunswick Heads Surf Life Saving Club for redevelopment of the surf club
- Report No. 13.25 Bus Shelter & Bus Stop Strategic Planning
- Report No. 13.27 Seven Mile Beach Road & Broken Head Reserve Road - Update
- Report No. 13.28 Rail Corridor Revitalisation Project - Final Design and Approval to Tender
- Report No. 13.30 Byron Bay Rugby and Cricket Refurbishment and upgrade of Change rooms and Canteen Byron Memorial Recreation Grounds
- Report No. 13.31 Submission to Reclassification of Regional Roads

REPORTS OF COMMITTEES**Infrastructure Services**

- Report No. 14.5 Report of the Local Traffic Committee Meeting held on 28 July 2020
 - 6.1 Bay Lane, Byron Bay - Proposed Closure Update
 - 6.2 Event - Falls Festival
 - 6.3 Events - Mullum2Brunns Paddle 20 September 2020
 - 6.4 Events - Bangalow Billycart Derby 2020 - Byron Street Road Closure 20 September 2020
 - 6.5 Byron to Suffolk Cycleway - Changes to Bangalow Road
 - 7.1 Road Safety Awareness
 - 7.2 Event - Chincogan Charge - 19 September 2020
 - 7.3 Events - Byron Coast Charity Walk 12 September 2020
 - 8.1 Event - Byron Sunrise Run and Swim (was Byron Triathlon) 18 October 2020
- Report No. 14.6 Report of the Water, Waste and Sewer Advisory Committee Meeting held on 30 July 2020

In accordance with her earlier declared interest in item 13.6 Cr Martin left the meeting at 11.38am.

The remaining Recommendations and Committee Recommendation were adopted as a whole, being moved by Cr Richardson and seconded by Cr Lyon. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 20-376 and concluding with Resolution No. 20-406.

SUBMISSIONS AND GRANTS

Report No. 11.1 **Grants and Submissions Report for August 2020**
File No: I2020/1141

- 20-376 Resolved:** that Council notes the report and Attachment 1 (E2020/57767) for Byron Shire Council's Submissions and Grants as at 3 August 2020. (Richardson/Lyon)

STAFF REPORTS - GENERAL MANAGER

Report No. 13.1 **Request to change Railway Park Artisan Market day for one market only**
File No: I2020/1129

- 20-377 Resolved:** that Council, authorise the General Manager, under delegation, to vary the Railway Park Artisan Market Licence held by the Byron Bay Community Association Incorporated to move the scheduled 26 September 2020 market to 25 September 2020. (Richardson/Lyon)

Report No. 13.2 **Licence to the Durrumbul Community Preschool Incorporated**
File No: I2020/1159

- 20-378 Resolved:** that Council, as the Crown Land Manager for Reservation 55796, delegate to the General Manager the authority to negotiate and enter into a new licence with the Durrumbul Community Preschool Incorporated over part Lot 5 DP 832186 as follows:
- a) for a term of ten (10) years;
 - b) for the purpose of early childhood education and care;
 - c) annual rent set by the value of minimum Crown and thereafter increased by CPI all groups Sydney;
 - d) the Licensee to pay all outgoings other than annual fixed rates and charges;
 - e) all non-structural maintenance to be carried out by the Licensee at the Licensee's cost; and
 - f) the Licensor to provide subsidised rent to the value of market rent as calculated at 6% of the land Unimproved Capital Value less rent payable by the Licensee set at minimum Crown rent.
- (Richardson/Lyon)

STAFF REPORTS – CORPORATE AND COMMUNITY SERVICES

Report No. 13.3 **Council Investments - 1 July 2020 to 31 July 2020**
File No: I2020/1152

- 20-379 Resolved:** that the report listing Council's investments and overall cash position as at 31 July 2020 be noted. (Richardson/Lyon)

Report No. 13.4 **Council Investments - 1 June 2020 to 30 June 2020**
File No: I2020/955

- 20-380 Resolved:** that the report listing Council's investments and overall cash position as at 30 June 2020 be noted. (Richardson/Lyon)

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Report No. 13.5 **Report of the Public Art Panel meeting held on 11 June 2020**
File No: I2020/932

- 20-381 Resolved:** that Council thanks the applicant for their proposal for a mural on the Town Clock, Byron Bay, however does not support the proposed mural, noting that the mural is not consistent with the visual aesthetic of the built environment in the immediate locale. (Richardson/Lyon)

Report No. 13.6 **Community Initiatives Program (Section 356) - 2020/21 funding round applications**

File No: I2020/1053

In accordance with her earlier declared interest in this matter, Cr Martin was not present for the vote.

20-382 Resolved:

1. That Council allocates \$44,750 from the 2020/21 Section 356 budget to the projects which met the assessment criteria of the Community Initiatives Program 2020/21 and are recommended for funding in Confidential Attachment 1 (#E2020/50068).
2. That Council advertises the approved Section 356 Donations.
3. That Council notes that unsuccessful applicants from this funding round will be provided with detailed feedback. (Richardson/Lyon)

Report No. 13.8 **Policy Review: Policies for Repeal**
File No: I2020/1100

20-383 Resolved:

1. That the Public Sun Protection Policy 1994 be repealed based on its content being included in the Open Space and Recreation Needs Study and Action Plan 2017-2036.
2. That the Business Ethics Policy 2007 be repealed based on it being replaced with the Business Ethics Statement 2020.
3. That the Sewerage Fixed Charges Applicable Combination/Fire Service Connections Policy 2009 be repealed based on its contents being included in the annual Statement of Revenue Policy. (Richardson/Lyon)

Report No. 13.11 **Carryovers for Inclusion in the 2020-2021 Budget**
File No: I2020/1145

- 20-384 Resolved:** that Council approves the works and services (with respective funding) shown in Attachment 1 (#E2020/60174) to be carried over from the 2019/2020 financial year and that the carryover budget allocations be adopted as budget revotes for inclusion in the 2020/2021 Budget Estimates. (Richardson/Lyon)

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Report No. 13.12 Extension of Term for Council Committees
File No: I2020/1155

20-385 Resolved:

1. That Council extends the term for Advisory Committees, Panels and Section 355 Committees until September 2021.
 2. That Council writes to current members of Advisory Committees, Panels, and Section 355 Committees seeking their agreement to continue their representation for the remainder of this term of Council.
 3. That, if Committee members choose to not continue in their roles, these be readvertised seeking appointment until September 2021.
 4. That Council writes to Regional Committees to determine if membership on these Committees remains in place until the Local Government election in 2021.
- (Richardson/Lyon)

Report No. 13.13 Budget Review - 1 April to 30 June 2020
File No: I2020/1156

20-386 Resolved:

1. That Council authorises the itemised budget variations as shown in Attachment 2 (#E2020/63870) which includes the following results in the 30 June 2020 Quarterly Review of the 2019/2020 Budget:
 - a) General Fund - \$699,700 change in Unrestricted Cash Result
 - b) General Fund - \$10,440,600 increase in reserves
 - c) Water Fund - \$1,966,800 increase in reserves
 - d) Sewerage Fund - \$1,491,600 increase in reserves.
 2. That Council adopts the revised General Fund Estimated Unrestricted Cash Result of \$723,400 for the 2019/2020 financial year.
- (Richardson/Lyon)

Report No. 13.14 Children's Services Review
File No: I2020/1168

- 20-387 Resolved:** that Council endorses Option 2 as recommended by CCSA to create a cooperative entity and maintains Council's strategic role as a partner in the cooperative. (Richardson/Lyon)

STAFF REPORTS – SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.16 **Draft Net Zero Emissions Action Plan for Council Operations 2025 - endorsement for public exhibition**
File No: I2020/894

20-388 Resolved:

1. That Council adopt the draft Net Zero Emissions Action Plan for Council Operations 2025 (Attachment 1, E2020/56957) for public exhibition for a period of 28 days accompanied by the Byron Shire Council Net Zero Emissions Strategy for Council Operations 2025 (Attachment 2, E2019/37526).
2. That any submissions received on the draft Net Zero Emissions Action Plan for Council Operations 2025 (Attachment 1, E2020/56957) be reported to Council for consideration, prior to the adoption of the final Action Plan; and if no submissions are received, Council adopts the Action Plan. (Richardson/Lyon)

Report No. 13.17 **Request for revocation of Dangerous Dog Order**
File No: I2020/1039

- 20-389 Resolved:** that Council revokes the Dangerous Dog declaration relating to desexed male Kelpie cross Dingo, 'Possum' microchip number 982009102243253 owned by Mrs Cathie-Anne McGrath. (Richardson/Lyon)

STAFF REPORTS – INFRASTRUCTURE SERVICES

Report No. 13.21 **A request for a dedicated Jewish section at Clunes Cemetery.**
File No: I2020/514

- 20-390 Resolved:** that Council approve the dedication of a Jewish section within the Clunes cemetery, large enough to accommodate 50 burials, within the adjacent vacant land zoned SP2 Infrastructure Cemetery. (Richardson/Lyon)

Report No. 13.23 **Proposed Road Closure and Sale of Road Reserve adjoining 140 & 158 Skinners Shoot Road Lots 199 & 200 DP 755695**
File No: I2020/924

20-391 Resolved:

1. That Council endorse the closure of road reserve adjoining Lots 199 & 200 DP 755695, as per Image 1 of this report.
2. That Council ascertain market value by engaging a suitably qualified Valuer and delegate to the General Manager the authority to enter into a contract for sale of the closed road with the owners of adjoining Lots 199 & 200 DP 755695 at a value no less than the value placed on the closed road by the independent Valuer.
3. That the applicants pay all costs associated with the road closure, including but not limited to:
 - a) Council application fees

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- b) Council's surveyor's fees and survey, valuation and legal costs
 - c) All registration fees
 - d) Legal costs
4. The allotment created by the part road closure to be consolidated into the existing Parcel No 122530 Lot 199 DP 755695 and Parcel No 122540 Lot 200 DP 755695 in accordance with the attached plan (Attachment 2 E2020/57638).
5. That Council authorise the execution of all documents necessary to affect the road closure, sale, transfer and consolidation of the closed road. (Richardson/Lyon)
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Report No. 13.26 Strategic Project Planning - Funding for "Shovel-ready" Infrastructure Projects
File No: I2020/1091

20-392 Resolved:

- 1. That the proposed "Shovel Ready" list attached be presented to a Strategic Planning Workshop in order to prioritise the list of proposed projects.
 - 2. That Council consider funding the planning and design of high priority projects at the September Quarterly Review, and incorporate priority projects into Council's Operational Plan.
 - 3. That the Place Planning Collective consider the list of projects provided in attachment 1 (E2020/51425) at their next available meeting. (Richardson/Lyon)
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Report No. 13.29 Council Tender 2020-0024 - Sewer condition assessments
File No: I2020/1151

20-393 Resolved:

- 1. That Council award the contract to the organisation recommended in Attachment 2 (E2020/63310) on page 8 of the Confidential - 2020-0024 Request for Tender Evaluation Report.
- 2. That Council delegate to the General Manager the authority to administer this contract
- 3. That Council authorise the affixing of the Council seal to all documents that may require it, in regards to the Contract.
- 4. That Council makes public its decision including the name and amount of the successful tenderer in accordance with Clause 179(b) of the Local Government (General) Regulation 2005.
- 5. That the Tender Evaluation Plan and Tender Evaluation Report remain confidential until the contract is finalised. (Richardson/Lyon)

Report No. 13.32 Tender 2020-0023 - Byron Bay Bypass Construction of Acoustic At-Property Treatments
File No: I2020/1126

20-394 Resolved:

1. That Council award the contract to the organisation recommended in Attachment 1 (E2020/63822) on page 7 of the Confidential - 2020-0023 Request for Tender Evaluation Report.
 2. That Council delegate to the General Manager the authority to administer the contract.
 3. That Council authorise the affixing of the Council seal to all documents that may require it, in regards to the Contract.
 4. That Council makes public its decision including the name and amount of the successful tenderer in accordance with Clause 179(b) of the Local Government (General) Regulation 2005.
 5. That the Tender Evaluation Report remain confidential until the contract is finalised.
(Richardson/Lyon)
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REPORTS OF COMMITTEES - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 14.1 Report of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 30 January 2020
File No: I2020/929

20-395 Resolved: that Council note the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 30 January 2020. (Richardson/Lyon)

20-396 Resolved: that Council adopts the following Committee recommendations:

Report No. 4.1 Update on Community Solar Incentive Schemes
File No: I2019/2139

Committee Recommendation 4.1.1

That the Sustainability and Emissions Reduction Advisory Committee note the report and recommend to Council to:

1. Not proceed with Environmental Upgrade Agreements for the Byron Shire, as the effort and potential costs to provide such a program are not equitable to the number of eligible properties.
2. In relation to Res 19-596, Council no longer invite Shay Singh from Sustainable Energy Foundation to present to Council and renewable energy community groups about the potential for commercial EUAs in Byron Shire.
3. Focus efforts towards communicating relevant NSW State and Federal energy efficiency programs and initiatives to the Byron Shire community.
4. Note that Council staff will be available to assist and support community organisations who

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wish to implement local school and/or residential solar programs and to contact Department of Education for possible regional solar installation. (Richardson/Lyon)

Report No. 14.2 Report of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 30 April 2020

File No: I2020/1071

- 20-397 Resolved:** that Council note the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 30 April 2020. (Richardson/Lyon)

Report No. 14.3 Report of the Heritage Panel Meeting held on 11 June 2020

File No: I2020/1186

- 20-398 Resolved:** that Council note the minutes of the Heritage Panel Meeting held on 11 June 2020. (Richardson/Lyon)

- 20-399 Resolved:** that Council adopt the following Committee and Management Recommendations:

Report No. 4.1 Heritage Assessment 'Robinson Subdivision' Bangalow

File No: I2020/769

Committee Recommendation 4.1.1

That the Heritage Panel:

1. Request staff to update the State Heritage Inventory database for the existing Bangalow Heritage Conservation Area to include 9, 11, 13, 15, 17, 25, Lismore Rd, Bangalow (group of workers cottages associated with George Reading) as contributory items in the Heritage Conservation Area inventory sheet.
2. Request staff to consult with the current landowners of 9, 11, 13, 15, 17, 25, Lismore Rd, Bangalow (group of workers cottages associated with George Reading) and the NSW Heritage Office on 1 above and include their comments in the report to Council on the a LEP amendment planning proposal.
3. Note that item 2 is progressed only when a budget allocation is available, and or grant funding is obtained.
4. Request staff to initiate discussions with the Bangalow Community (through the Place Planning Collective) to identify heritage values important to the Bangalow Community past present and future.
5. Receive a report on the outcomes of 1-4 when actioned. (Richardson/Lyon)

- 20-400 Resolved** that Council adopt the following Committee and Management Recommendations:

Report No. 4.2 Development application requirements for heritage conservation areas and heritage items

File No: I2020/771

Committee Recommendation 4.2.1

That the Heritage Panel:

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1. Note the report on development application requirements for heritage conservation areas and heritage items.
2. Request staff to prepare a further report on development of priority action (d) "Manage heritage in the Byron Shire area in a positive manner" to enable community discussions and education regarding the application of heritage criteria (e.g. heritage walks, awards etc.).
(Richardson/Lyon)

20-401 Resolved that Council adopt the following Committee and Management Recommendations:

Report No. 4.3 Heritage Assessment 'Carabene' Ewingsdale Road Ewingsdale

File No: I2020/806

Committee Recommendation 4.3.1

That Heritage Panel:

1. Recommend that the homestead 'Carabene' due to its historical, historical associative and aesthetic and social significance be included on Schedule 5 of Byron LEP 2014 as a heritage item.
2. Request staff to consult with the current landowners of the homestead 'Carabene', and the NSW Heritage Office on 1 above and include their comments in the report to Council on the LEP amendment planning proposal.
3. Request the landowner to prepare a Conservation Management Plan for the homestead 'Carabene' to guide future conservation and reconstruction works (including the relocation of the front fence and gate for any future road widening purposes), and inform any future development application and or local heritage places grant application once listed.
(Richardson/Lyon)

REPORTS OF COMMITTEES – INFRASTRUCTURE SERVICES

**Report No. 14.4 Report of the Transport and Infrastructure Advisory Committee
Meeting held on 30 July 2020**

File No: I2020/1144

20-402 Resolved that Council note the minutes of the Transport and Infrastructure Advisory Committee Meeting held on 30 July 2020. (Lyon/Richardson)

20-403 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.2 Asset Management Policy Updated
File No: I2020/803

Committee Recommendation 4.2.1

That Council adopt the revised Asset Management Policy (E2020/4726) and is updated on Council's website. (Richardson/Lyon)

20-404 Resolved that Council adopt the following Committee Recommendations:

Report No. 4.3 Byron Shire Integrated Transport Update
File No: I2020/892

Committee Recommendation 4.3.1

That Council resolve the following:

That the BSITS is reviewed by a working party of TIAC members, staff and consultants with the view to providing a final draft to the next TIAC meeting. (Richardson/Lyon)

20-405 Resolved that Council adopt the following Committee Recommendations:

Report No. 4.4 Road Safety Campaign Review

File No: I2020/893

Committee Recommendation 4.4.1

1. That TIAC recommend that signage be incorporated as part of the Coolamon Scenic Drive Project be accessed for road safety signage.
 2. That Council seek approval to incorporate Road Safety signage /other measures within future Road Safety Upgrade projects.
 3. The report be brought to next TIAC meeting focusing on road safety concerns and potential funding opportunities and that advice from TIAC members be sought regarding messaging and location for signs.
 4. That Council consider an allocation of funds from Risk Management Reserve to address other areas not covered by Coolamon Scenic Drive Project.
 5. That Council continue to liaise with TfNSW with regard to creating a Road Safety Officer position and planning road safety programs for the shire.
 6. That Council continue developing a funding model for a Road Safety Officer.
- (Richardson/Lyon)

20-406 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.5 Stormwater Assets Management

File No: I2020/1069

Committee Recommendation 4.5.1

That Council note the report. (Richardson/Lyon)

Cr Martin returned to the Chamber at 11.39am.

PROCEDURAL MOTION

20-407 Resolved: that Council change the order of business to deal with Reports 9.1, 10.1, 13.7, 13.19, 13.20, 13.24, 13.27, 13.28, 13.30, 14.6, 9.3 next on the Agenda. (Richardson/Ndiaye)

The motion was put to the vote and declared carried.

NOTICES OF MOTION AND RESCISSION**Notice of Rescission Motion No. 9.1**
File No:**Brunswick Heads Parking Scheme Review**
I2020/1010

20-408 Resolved that Council rescind Resolution No. 13.21 from its Ordinary meeting held on 25 June 2020 which reads as follows:

1. *That Council note the staff report.*
2. *That Council defer consideration of the Brunswick Heads Parking Scheme Review until after 30 June 2021 due to the continuing impacts and uncertainties of the COVID-19 crisis.*
3. *That Council continue to monitor parking demand within Brunswick Heads and parking occupancy rates within the existing 1P and 2P time limited areas and the area east of South Arm Bridge; and*
4. *That the report to the August 2021 Ordinary Meeting in response to the Recommendation from the TPS Report - Brunswick Heads Parking Scheme Review 2020 (Attachment 1, #E2020/29468) include a cost/benefit analysis and implementation plan for the introduction of a Pay Parking Scheme for Brunswick Heads incorporating:*
 - a) *Delivery Program;*
 - b) *Meter and sensor layouts;*
 - c) *Relevant time limit modifications;*
 - d) *Signs and line plan;*
 - e) *Permit system;*
 - f) *Business case with recommended pay parking fee rate and months over which the pay parking scheme should operate; and*
 - g) *Media and communications plan*

(Richardson/Ndiaye)

PROCEDURAL MOTIONS

20-409 Resolved that Cr Richardson be granted a two minute extension to his speech.

(Richardson/Coorey)

The motion was put to the vote and declared carried.

20-410 Resolved that Cr Cameron be granted a two minute extension to his speech.

(Richardson/Ndiaye)

The motion was put to the vote and declared carried.

20-411 Resolved that Cr Ndiaye be granted a two minute extension to her speech.

(Richardson/Lyon)

The motion was put to the vote and declared carried.

The motion (Richardson/Ndiaye) was put to the vote and declared carried.

Crs Cameron, Hunter, Hackett, and Spooner voted against the motion.

Moved:

1. That in relation to Consideration of proposed parking Scheme Changes within Brunswick Heads, Council:
 - a) Note the recommendations in the TPS Report Brunswick Heads Parking Scheme Review 2020 (Attachment 1, #E2020/29468) including the recommendation, "that Council should undertake a cost/benefit analysis with the objective to introducing

- metered parking into Brunswick Heads in order to address the capacity and compliance issues identified in this project” ; and
 - b) Defer consideration of this report until October 2020 Ordinary Council meeting due to the current impacts of the COVID-19 crisis.
 - c) Continue to monitor parking demand within Brunswick Heads and parking occupancy rates within the existing 1P and 2P time limited areas and the area east of South Arm Bridge; and
 - d) Not introduce pay parking to the CBD and Beach Precincts as identified in Figure 1.1n and table 1.2b until parking occupancy rates return to 80%
2. That the report to the October 2020 Ordinary in response to the Recommendation from the TPS Report – Brunswick Heads Parking Scheme Review 2020 (Attachment 1, #E2020\29468) include a cost benefit analysis and implementation plan for the introduction of Pay Parking Scheme for Brunswick Heads incorporating:
- a) Delivery Program;
 - b) Meter and sensor layouts
 - c) Relevant time limit modifications;
 - d) Signs and line plan
 - e) Permit system, including a residential permit system;
 - f) Business case with recommended pay parking fee rate and months over which the pay parking scheme should operate; and
 - g) Media and communications plan. (Richardson/Ndiaye)

PROCEDURAL MOTION

20-412 Resolved that Cr Ndiaye be granted a two minute extension to her speech. (Richardson/Coorey)

The motion was put to the vote and declared carried.

AMENDMENT

20-413 Resolved:

1. That in relation to consideration of proposed Parking Scheme changes within Brunswick Heads, Council:
 - a) Note the recommendations in the TPS Report - Brunswick Heads Parking Scheme Review 2020 (E2020/29468) including the recommendation "that Council should undertake a cost/benefit analysis with the objective to introducing metered parking into Brunswick Heads in order to address the capacity and compliance issues identified in this project"; and
 - b) Defer consideration of any changes to the Brunswick Heads Parking Scheme until the March 2022 Ordinary Council meeting due to the current impacts of the COVID-19 crisis.
 - c) Continue to monitor parking demand within Brunswick Heads and parking occupancy rates within the existing 1P and 2P time limited areas and the area east of South Arm Bridge; and
 - d) Not introduce pay parking to the CBD and Beach Precincts as identified in Figure 1.1b and Table 1.2b until parking occupancy rates return to 90% within the CBD Precinct.
2. That the report to the March 2022 Ordinary in response to the Recommendation from the TPS Report - Brunswick Heads Parking Scheme Review 2020 (E2020/29468) include a cost/benefit analysis and implementation plan for the introduction of a Pay Parking Scheme for Brunswick Heads incorporating:
 - a) Delivery Program;
 - b) Meter and sensor layouts;
 - c) Relevant time limit modifications;

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- d) Signs and line plan;
- e) Permit system;
- f) Business case with recommended pay parking fee rate and months over which the pay parking scheme should operate; and
- g) Media and communications plan (Ndiaye/Spooner)

The amendment was put to the vote and declared carried.

Crs Coorey, Martin, Lyon, and Richardson voted against the amendment.

The amendment upon becoming the substantive motion was put to the vote and declared carried.

Crs Coorey, Martin, Lyon, Richardson voted against the motion.

PROCEDURAL MOTION

- 20-414 Resolved** that Council change the order of business to deal with Report 13.7 next on the Agenda. (Richardson/Lyon)

The motion was put to the vote and declared carried.

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 13.7 Arts and Culture Policy - Submissions Report
File No: I2020/1060

20-415 Resolved:

1. That Council adopts the final Arts & Culture policy (attachment 1 #E2020/53603) which has been revised following consideration of the submissions received during public exhibition, with the removal of the additional definition wording in red on p2
2. That the Arts & Culture policy be reviewed in 12 months
3. That the Cultural policy 2008 (Policy3.42) (DM801769) be repealed. (Hackett/Ndiaye)

The motion was put to the vote and declared carried.

The meeting adjourned at 12:52pm for a lunch break and reconvened at 1.45pm.

Cr Hackett did not return at this time.

PETITIONS

Petition No. 10.1 Safer Communities - Waterlily Park
File No: I2020/933

- 20-416 Resolved** that Council receive a Crime Prevention Through Environmental Design (CPTED) report for the Waterlily Park precinct at the earliest possible Council meeting that considers the inclusion of CCTV and the positioning of other play scape elements such as future children's swings. (Hunter/Lyon)

The motion was put to the vote and declared carried.

Cr Hackett was not present for the vote.

STAFF REPORTS – SUSTAINABLE ENVIRONMENT AND ECONOMY**Report No. 13.19 Unauthorised Dwellings Policy****File No:** I2020/1139**20-417 Resolved:**

1. That Council endorses the Draft Byron Shire Unauthorised Dwellings Policy in Attachment 1 (E2020/59113) and places the document on public exhibition for minimum a period of 28 days.
2. That following exhibition, Council receives a further report detailing submissions made and potential ways forward. (Ndiaye/Lyon)

The motion was put to the vote and declared carried.

Cr Hackett was not present for the vote.

Report No. 13.20 Federal Village Project - Community Led Governance and Place Plan**File No:** I2020/1175**20-418 Resolved that Council:**

1. Endorse staff initiating work on a community led plan for the Federal Village.
2. Request staff to proceed with a community scoping meeting to be held during September/October, to explore the purpose and nature of the Federal Village plan and the process to prepare the plan.
3. Receive a further report on the outcomes of the community scoping meeting by or before the December meeting of Council.
4. Request staff to prepare a Draft Movement and Access Study as a foundation document for collaboration and co-design with the community, incorporating the following
 - a) Identify and map local transport networks (Roads, lanes, park, paths, shortcuts etc).
 - b) Identify and map transport infrastructure links beyond the Village precinct.
 - c) Identify all transport modes and services including school buses.
5. The Access and Movement mapping be used during scoping discussions to
 - a) Explore patterns of human movement in and around village as well as preferred routes and modes in and out of the Village.
 - b) Explore barriers, incentives and disincentives for particular modes (eg barriers to increasing active transport).
 - c) Identify visitor travel patterns, modes and behaviours. (Cameron/Hunter)

The motion was put to the vote and declared carried.

Cr Hackett was not present for the vote.

STAFF REPORTS – INFRASTRUCTURE SERVICES

Report No. 13.24 **Proposed lease to Brunswick Heads Surf Life Saving Club for redevelopment of the surf club**

File No: I2020/1074

20-419 Resolved:

1. That pursuant to Section 10A(2)(c) and 10A(2)(g) of the Local Government Act, 1993, Council resolve to move into Confidential Session to discuss that part of this report.
2. That the reasons for closing the meeting to the public to consider information contained in the confidential attachment are that it contains legal advice that would otherwise be privileged from production on the ground of legal professional privilege and it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting, or proposed to conduct, business.
3. That on balance it is considered that receipt and discussion of the information contained in Confidential Attachment 1 in open Council would be contrary to the public interest, as it contains privileged legal advice and commercial information that could if disclosed cause potential risk and disadvantage to Council or other parties that Council proposes to conduct business with. (Spooner/Hunter)

The motion was put to the vote and declared carried.

Cr Hackett was not present for the vote.

20-420 Resolved:

1. That Council as the Crown Land Manager for Reserve R97139 authorise a lease to the Brunswick Surf Life Saving Club Incorporated for the redeveloped premises for:
 - a) a maximum term of 5 years;
 - b) at a starting annual rental \$3,000 p.a. with conditions permitting works approved by development consent 10.2018.486, as modified; and
 - c) subject to finalisation of other terms and conditions and Minister's consent.
 - d) with Council providing a subsidy up to \$2,500 to Brunswick Surf Life Saving Club to cover any additional costs associated with the annual lease
2. That Council as the Crown Land Manager for Reserve R97139 delegate to the General Manager authority to:
 - a) settle the final terms and conditions of the lease, other than the matters set out in 2(a), (b) and (c) above, to meet the requirements of Council and Department of Planning Industry and Environment – Crown Lands or arising from discussions with Native Title Interest owners;
 - b) forward the lease to the Department of Planning, Industry and Environment for public exhibition and Minister's Consent; and
 - c) enter into a lease as authorised by the Minister.
3. That Council support car parking to be located within the Council Road Reserve, rather than on the Crown Public Recreation Reserve, subject to finalisation of the terms of the service agreement and the fee for service payable to Council by Brunswick Surf Life Saving Club towards upgrade of adjacent road reserve.
4. That Council note that Council is committed to continuing discussions with Native Title Interest owners in relation to this and other Crown Reserves in the Shire. (Spooner/Hunter)

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- 20-421 Resolved** that Council move into Committee to allow for free debate. (Ndiaye/Coorey)

*The motion was put to the vote and declared carried.
Cr Hackett was not present for the vote.*

- 20-422 Resolved** that Council move out of Committee and resume the Ordinary Meeting. (Richardson/Cameron)

*The motion was put to the vote and declared carried.
Cr Hackett was not present for the vote.*

Cr Martin left the meeting and did not return.

AMENDMENT

1. That Council as the Crown Land Manager for Reserve R97139 authorise a lease to the Brunswick Surf Life Saving Club Incorporated for the redeveloped premises for:
 - a) a maximum term of 5 years;
 - b) at a starting annual rental \$1,500 p.a. with conditions permitting works approved by development consent 10.2018.486, as modified; and
 - c) subject to finalisation of other terms and conditions and Minister's consent.
2. That Council as the Crown Land Manager for Reserve R97139 delegate to the General Manager authority to:
 - a) settle the final terms and conditions of the lease, other than the matters set out in 2(a), (b) and (c) above, to meet the requirements of Council and Department of Planning Industry and Environment – Crown Lands or arising from discussions with Native Title Interest owners;
 - b) forward the lease to the Department of Planning, Industry and Environment for public exhibition and Minister's Consent; and
 - c) enter into a lease as authorised by the Minister.
3. That Council support car parking to be located within the Council Road Reserve, rather than on the Crown Public Recreation Reserve, subject to finalisation of the terms of the service agreement and the fee for service payable to Council by Brunswick Surf Life Saving Club towards upgrade of adjacent road reserve.
4. That Council note that Council is committed to continuing discussions with Native Title Interest owners in relation to this and other Crown Reserves in the Shire. (Ndiaye/Lyon)

*The amendment was put to the vote and declared lost.
Crs Lyon, Richardson, Hunter and Spooner voted against the amendment.
Crs Hackett and Martin were not present for the vote.*

*The motion (Spooners/Hunter) was put to the vote and declared carried.
Crs Hackett and Martin were not present for the vote.*

PROCEDURAL MOTION

- 20-423 Resolved** that the meeting move out of confidential session. (Richardson/Cameron)

The motion was put to the vote and declared carried.

Report No. 13.27 Seven Mile Beach Road & Broken Head Reserve Road - Update
File No: I2020/1123

20-424 Resolved that Council note the report and endorse the following actions based on it:

- a) for Seven Mile Beach Road:
 - (i) develop a delivery program and communicate program with resident group.
 - (ii) detail design of works in consultation with identified stakeholders.
 - (iii) undertake business case in consultation with Council's Finance team and DCA to confirm the financial viability of pay parking and parking technology requirements in the area.
 - (iv) Analyse compliance car counts to investigate the appropriateness and extent of pay parking.
 - (v) Request NPWS to formalise and seal the Kings Beach Carpark and that this work be integrated into or undertaken in conjunction with the sealing works on Seven Mile Beach Road.
 - (vi) approach NPWS with the proposal to manage and patrol their car parking scheme at Kings Beach. This would allow the whole Broken Head and Seven Mile Beach Rd plans to be integrated and managed as a whole.
 - (vii) consider a later report to Council and recommendation to give staff authority and permission to approach Transport for NSW for consent to apply paid parking.
 - (viii) complete design investigations and documentation for the delivery of sealing works, signage, intersection treatment and traffic management facilities ensuring these integrate and complement any planned works in Broken Head Reserve Road whilst ensuring project delivery within agreed grant milestones.
- b) for Broken Head Reserve Road:
 - (i) develop and communicate Delivery Program to relevant stakeholders;
 - (ii) commence detailed design in consultation with resident representatives;
 - (iii) Have Your Say survey to refine project scope and site considerations;
 - (iv) undertake analysis of LPR survey data to provide justification to TfNSW for paid parking;
 - (v) undertake business case in consultation with Finance and DCA to confirm the financial viability of pay parking and parking technology in the area;
 - (vi) approach NPWS with the proposal to manage and patrol their car parking scheme at the end of Broken Head Reserve Road. This would allow the whole Broken Head and Seven Mile Beach Rd plans to be well integrated and managed as a whole;
 - (vii) prepare concept designs for remaining area of road and parking areas;
 - (viii) consider a later report and recommendation to give staff the authority and permission to approach TfNSW for consent to apply paid parking if approved by Council; and
 - (ix) complete investigation and scope development of road repair works from Election Commitment funds and undertake works in co-ordination with sealing works on seven Mile Beach Road.
- c) additional actions:
 - (i) enter into an Inter-Agency Consultation Group to include NPWS, Police, RFS, Arakwal and Crown Lands;
 - (ii) to prepare a communications plan to be all encompassing for the Seven Mile Beach Road group, Broken Head Reserve Road group, and other relevant stakeholders;
 - (iii) develop a Memorandum of Understanding (MoU) in consultation with the Inter-Agency Consultation Group, the Seven Mile Beach Road community group and

- (iv) Broken Head Reserve Road community groups; together with the Inter-Agency Consultation Group, develop an overarching Management Plan (informed by the MoU) for the Broken Head Reserve Road and Seven Mile Beach Road areas, for the following purposes:
- To clearly set expectations for day to day operations, clarify matters such as:
 - o Inter-Agency roles and responsibilities;
 - o Who has authority to close the roads and car parks and the conditions under which this would occur;
 - o Which Agency to contact when specific matters arise;
 - o Where Council's and NPWS delegated authority is limited to;
 - o Appropriate expectations for Council's staff in regards to the scope and frequency of tasks they are expected to undertake.
 - Help integrate Council works with the plans and requirements of other key agencies. This would help ensure funds are not wasted duplicating plans already underway by other agencies, help Council plan the timing of works to tie in with other Agencies and prevent designs not complying with the emergency service requirements.
 - Set out a longer term action plan and proposed priorities. (Coorey/Lyon)

*The motion was put to the vote and declared carried.
Crs Hackett and Martin were not present for the vote.*

Report No. 13.28 Rail Corridor Revitalisation Project - Final Design and Approval to Tender
File No: I2020/1127

20-425 Resolved that Council:

1. Notes the detailed design package for the Byron rail corridor restoration, including the retention of rail infrastructure so that future rail operations could be quickly and easily supported;
2. Approves the use of the open tender method to call for tenders for the construction of the Byron Rail Corridor Revitalisation Project, subject to the finalisation of the Review of Environmental Factors (REF) *with specific consideration of the Mitchell's Rainforest Snail*;
3. Be provided with the REF at the next available Strategic Planning Workshop; and
4. Amends the budget for this project in the 2020/21 financial year in accordance with confidential budget estimate document (Attachment 3 - E2020/59443), with the final details of the budget sources to be included within the September quarterly budget review. (Coorey/Lyon)

*The motion was put to the vote and declared carried.
Cr Cameron voted against the motion.
Crs Hackett and Martin were not present for the vote.*

Report No. 13.30 **Byron Bay Rugby and Cricket Refurbishment and upgrade of Change rooms and Canteen Byron Memorial Recreation Grounds**
File No: I2020/1167

20-426 Resolved:

1. That Council supports the redevelopment of the amenities subject to a detailed design finalisation with staff that considers accessibility, CPTED, safety in design and BCA compliance and Functionality for both Rugby and Cricket clubs and advice NSW Office of Sport
 2. That the terms of use are included in the Rugby and Cricket Clubs User Agreement
(Hunter/Coorey)
- The motion was put to the vote and declared carried.*
-

REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

Report No. 14.6 **Report of the Water, Waste and Sewer Advisory Committee Meeting held on 30 July 2020**
File No: I2020/1173

20-427 Resolved:

1. That Council notes the minutes of the Water, Waste and Sewer Advisory Committee Meeting held on 30 July 2020.
2. That with regard to *Report No. 4.2 Effects of water mining in Byron and surrounding shires on groundwater resources*, that point 3 of the Management Recommendation in the minutes be amended to read as follows: That the report be brought to next WWSC and Coastal Estuary Catchment Panel meetings outlining water resourcing both commercial and domestic prior to any changes to the LEP the being undertaken.
3. That a report also be provided to the next meeting of the WWS committee that clarifies the advice from staff to the WWS Committee held on 30 July 2020 that, under the *Byron LEP 2014 water mining for bottled water is not a permitted use in the RU1 and RU2 Zones* in the light of DA 10.2015.102.1 approved in July 2015 under the current BYRON LEP 2014 for a Rural industry (fruit juice production, winery and water bottling facility) at Huonbrook.
(Coorey/Ndiaye)

20-428 Resolved that Council adopt the following Committee and Management Recommendations:

Report No. 4.2 Effects of water mining in Byron and surrounding shires on groundwater resources
File No: I2020/879

Committee Recommendation 4.2.1

1. That Council note the report.
2. That Council introduce in next round of "housekeeping" for the LEP, a clause similar to Tweed Shire Council LEP clause 7.15 relating to groundwater extraction, but with no exception and no part (3).

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3. That the report be brought to next WWSC and Coastal Estuary Catchment Panel meetings outlining water resourcing both commercial and domestic.

Management Recommendation

1. That Council note the report.
2. That Council introduce in next round of “housekeeping” for the LEP, a clause that prohibits Ground Water extraction as follows:

7.15 Industry—groundwater extraction, etc

- (1) This clause applies to development for the purpose of industry, being a building or place at which groundwater is extracted, handled, treated, processed, stored, packed or transported offsite for commercial bottling and drinking purposes.
 - (2) Development to which this clause applies is prohibited on land to which this Plan applies similar to Tweed Shire Council LEP clause 7.15 relating to groundwater extraction, but with no exception and no part (3).
3. That the report be brought to next WWSC and Coastal Estuary Catchment Panel meetings outlining water resourcing both commercial and domestic.
 4. That Council write to the relevant NSW Government Agency seeking a review of water extraction licenses in relation to the terms of such licenses prohibiting water being extracted for commercial bottling/ drinking purposes, and limiting extraction for on farm purposes such as irrigation of crops, watering of farm animals and other domestic purposes associated with the farm. (Coorey/Ndiaye)

20-429 Resolved that Council adopt the following Committee Recommendations:

Report No. 4.3 Byron STP Condition 9. Additional Load - Quarterly report

File No: I2020/1011

Committee Recommendation 4.3.1

1. That Council note the report.
2. That Council add actual volumes reused to the quarterly report. (Coorey/Ndiaye)

20-430 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.4 Inflow and Infiltration - quarterly update

File No: I2020/1062

Committee Recommendation 4.4.1

That Council note the report. (Coorey/Ndiaye)

20-431 Resolved:

that Council adopt the following Committee Recommendations:

Report No. 4.5 Nutrient Loading in the Belongil Update

File No: I2020/1078

Committee Recommendation 4.5.1

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1. That the Council note the update provided to resolution 20-243 in relation to nutrient loading in the Belongil catchment.
2. That Council consider amendment of Delivery Plan Action 1.5.2 to read "ensure our STPs meet or exceed EPA Licence conditions and don't negatively impact on their receiving environments".
(Coorey/Ndiaye)

*The motions (20-427 to 20-431) were put to the vote and declared carried.
Crs Hackett and Martin were not present for the vote.*

Notice of Motion No. 9.3 Pedestrian Safety and Amenity in Suffolk Park
File No: I2020/1160

20-432 Resolved that Council:

1. Notes the advice from the Suffolk Park Progress Association regarding longstanding pedestrian access and safety issues on Broken Head Road, Beech Drive and Clifford Street.
2. Supports installation of marked pedestrian crossings as shown on the attached Pedestrian Amenity and Safety Plan at the following locations.
 - a) Broken Head Road adjacent to the nearby bus stops and the aged care home on the corner of Beech Drive.
 - b) Southern end of Beech Drive adjacent to bus stop at the existing raised platform on the road.
 - c) Clifford Street adjacent to the supermarket and shops.
3. With consultation, investigates further traffic calming and other treatments to slow traffic within the retail and service precinct as shown on the Pedestrian Amenity and Safety Plan including implementation of a 40kph or lower speed limit and a shared zone.
4. Notes that the proposed pedestrian crossings are consistent with project SP003 in the Bike Plan and projects SP003, SP005 and SP006 in the Pedestrian, Access and Movement Plan.
5. Refers the regulatory issues to the Local Traffic Committee to identify relevant regulatory requirements.
6. Identifies a funding pathway at the next Quarterly Budget Review and receive a further report.
(Cameron/Richardson)

*The motion was put to the vote and declared carried.
Crs Hackett and Martin were not present for the vote.*

MAYORAL MINUTE**Mayoral Minute No. 8.1 Queensland Border Restrictions****File No:** I2020/1262**20-433 Resolved** that Council supports and requests that:

1. Queensland considers amending the current style of restrictions to revert to the restrictions that were originally in place from March to July
2. The current NSW and Queensland border bubble be extended to the southern border of Ballina Shire, NSW to encompass this critical shared economic and health zone
3. The current NSW and Queensland border bubble be extended to north of Brisbane
4. Critical workers from Queensland outside the bubble areas be allowed into the NSW bubble areas, in-line with the current allowance for critical workers from NSW being allowed to service Queensland
5. The NSW Government imposes intrastate travel restrictions to the border bubble areas from any NSW COVID-19 hotspot clusters, to protect rural and regional areas such as the Byron Shire and Northern Rivers more widely, and to maintain the integrity of the border bubble and give confidence to Queensland
6. The NSW Government commits resources to operate a Northern Rivers bubble checkpoint, and possible drop in locations to assist in strengthening proof of residence/exemption and expediting the exemption pass process
7. The NSW Government gives consideration to providing increased specialist medical services in the area for northern NSW residents no longer able to be cared for or receive medical support, including dental care, in Queensland, or, if unable to provide these medical services, the NSW Government assists residents with financial support to quarantine in Queensland if required for essential medical, work or other purposes
8. Further financial support is provided for Northern NSW residents and businesses negatively impacted by the border closures, especially in light of recently announced support for Southern border regions and communities
9. Queensland provides greater flexibility for compassionate grounds for NSW residents to be with their families in Queensland
10. Letters be sent to the Premiers of Queensland and New South Wales, local MP Tamara Smith, and State government representative, Ben Franklin MP,
 - a. outlining the requests above and seeking their support.
 - b. Including Byron Council's appreciation and acknowledgement of the difficulties and challenges for decision makers when combatting and responding to the Coronavirus onset, and our appreciation of the work conducted thus far by both State governments and the Federal government to keep our community its safe and healthy, noting the Northern Rivers have never recorded a positive community borne coronavirus case.

(Richardson)

*The motion was put to the vote and declared carried
Crs Hackett and Martin were not present for the vote..*

PROCEDURAL MOTION**20-434 Resolved** that Cr Richardson be granted a one minute extension to his speech.

(Cameron/Ndiaye)

*The motion was put to the vote and declared carried
Crs Hackett and Martin were not present for the vote.*

Cr Hackett returned to the meeting at 3:40pm

NOTICES OF MOTION AND RESCISSION**Notice of Rescission Motion No. 9.2****Main Beach Shoreline Project - preliminary options assessment and stakeholder engagement**
I2020/1015**File No:**

20-435 Resolved that Council rescind Resolution No. 20-347 from its Ordinary meeting held on 25 June 2020 which reads as follows:

1. That Council notes the preliminary options assessment and top seven concept designs presented in the Concept Design Development – Report (Attachment 1 – E2020/40490).
2. That Council endorses the top seven concept options outlined in Attachment 1 (E2020/40490) for key stakeholder and broader community engagement.
3. That Council receives a report following the community engagement detailing the submissions received and staff response to these submissions. (Hackett/Richardson)

The motion was put to the vote and declared carried.

Cr Hunter voted against the motion.

Cr Martin was not present for the vote.

20-436 Resolved:

1. That Council endorses the top seven concept options outlined in Attachment 1 (E2020/40490) for key stakeholder and broader community engagement.
2. That Bluecoast undertake an assessment of a further alternative concept (Option 8) which:
 - better supports beach recovery and resilience after storm events
 - increases and improves social, cultural and recreational spaces at Main Beach
 - enhances the protection of current built infrastructure and the town centre
 - considers constructing the recreational areas above the original beach seaward of a buried seawall which is aligned with the natural beach.and that is in accordance with the Project Objectives and provide feedback in the form of a Memo to Councillors, prior to community engagement, on the feasibility of Option 8
3. Depending on the outcome of Item # 2 above (Option 8) it may be added to the top seven concept options to progress to the next stage.
4. That Council receives a report during the community engagement on the assessment of Option 8, detailing the submissions received and staff response to these submissions, and extend the exhibition period accordingly. (Hackett/Lyon)

PROCEDURAL MOTION

20-437 Resolved that Cr Hackett be granted a two minute extension to her speech.

(Richardson/Ndiaye)

The motion was put to the vote and declared carried.

Cr Martin was not present for the vote.

AMENDMENT

Moved:

1. That Council endorses the top seven concept options outlined in Attachment 1 (E2020/40490) for key stakeholder and broader community engagement.
2. That Bluecoast undertake an assessment of a further 'hybrid' concept (Option 8) in accordance with the Project Objectives and provide feedback in the form of a Memo to Councillors on the feasibility of Option 8.
3. Depending on the outcome of Item # 2 above (Option 8) it may be added to the top seven concept options to progress to the next stage.
4. That Council receives the assessment report before or during the community engagement (whichever occurs first) on the feasibility of Option 8 and extends the exhibition period accordingly to receive comment on that option if necessary
5. That Council receives a final report on the community engagement detailing the submissions received and staff response to these submissions. (Ndiaye/Coorey)

The amendment was put to the vote and declared lost.

*Crs Lyon, Richardson, Cameron, Hackett, Spooner, and Hunter voted against the amendment.
Cr Martin was not present for the vote.*

The motion was put to the vote and declared carried.

Cr Martin was not present for the vote.

The Mayor left the meeting at 4.41pm and did not return.

The Deputy Mayor took the Chair

Notice of Motion No. 9.4 Street Lighting in Butler Street
File No: I2020/1191

Cr Hackett withdrew the Notice of Motion.

Cr Hackett left the meeting at 4.43pm and did not return.

Notice of Motion No. 9.5 Congratulations to Sue Walker of NPWS on her retirement
File No: I2020/1192

20-438 Resolved that Council:

1. Notes the impending retirement of Sue Walker, National Parks and Wildlife Service (NPWS) Area Manager
2. Acknowledges the achievements of Sue in her 37 (TBC) years with NPWS; and
3. Sends a message of congratulations and thanks to Sue for her work for the community. (Coorey/Cameron)

The motion was put to the vote and declared carried.

Crs Richardson, Hackett and Martin were not present for the vote.

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PROCEDURAL MOTION

20-439 Resolved that Cr Coorey be granted a two minute extension to her speech. (Cameron/Ndiaye)

*The motion was put to the vote and declared carried.
Crs Richardson, Hackett and Martin were not present for the vote.*

Notice of Motion No. 9.6 International Campaign to Abolish Nuclear Weapons
File No: I2020/1193

20-440 Resolved that Council:

1. Acknowledges the victims and survivors of the atomic bombings of Hiroshima and Nagasaki, and the 75th anniversaries this year of these attacks – on 6 and 9 August respectively;
2. In commemoration of these anniversaries, endorses the International Campaign to Abolish Nuclear Weapons 'Cities Appeal', and publishes the public statement of endorsement, which reads as follows:

"Our Shire is concerned about the grave threat that nuclear weapons pose to communities throughout the world.

We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment.

Therefore, we warmly welcome the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and we call on our national government to sign and ratify it without delay."

3. Writes to inform the foreign minister, Senator the Hon Marise Payne, that Byron Shire has endorsed the ICAN Cities Appeal;
4. Issues a media release announcing that Byron Shire has joined the International Campaign to Abolish Nuclear Weapons 'Cities Appeal' and the call for the national government to sign and ratify the UN Treaty on the Prohibition of Nuclear Weapons;
5. Takes steps to ensure that funds administered by Byron Shire Council are not invested in companies that produce nuclear weapons, and
6. Notifies our local MPs, Tamara Smith, Ben Franklin and Justine Elliott and asks them also to support the International Campaign to Abolish Nuclear Weapons, and request that they also encourage the Australian government to sign and ratify the UN Treaty on the Prohibition of Nuclear Weapons. (Coorey/Ndiaye)

*The motion was put to the vote and declared carried
Crs Richardson, Hackett and Martin were not present for the vote.*

PROCEDURAL MOTION

20-441 Resolved that Cr Coorey be granted a one minute extension to her speech. (Lyon/Cameron)

*The motion was put to the vote and declared carried.
Crs Richardson, Hackett and Martin were not present for the vote.*

PETITIONS

Petition No. 10.2 **Protection of Mooibal Spur track - E2 zoning and masterplan for remaining Tallowood subdivision**
File No: I2020/1037

20-442 Resolved:

1. That the petition regarding The Protection of Mooibal Spur Track be noted.
2. That the petition be referred to the Director Sustainable Environment and Economy.
3. That staff be requested to include 2 community representatives from the Friends of Mooibal Spur at the site inspections with staff, councillors and the applicant, ordinarily convened for development applications prior to their presentation to Council. (Ndiaye/Cameron)

The motion was put to the vote and declared carried.
Crs Richardson, Hackett and Martin were not present for the vote.

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 13.9 **Council Resolutions Quarterly Review - Q4 - 1 April to 30 June 2020**
File No: I2020/1137

20-443 Resolved that the report *Council Resolutions Quarterly Review - Q4 - 1 April to 30 June 2020* be deferred to the 24 September Ordinary Meeting of Council. (Cameron/Lyon)

The motion was put to the vote and declared carried.
Crs Richardson, Hackett and Martin were not present for the vote.

Report No. 13.10 **Local Government NSW Annual Conference 2020**
File No: I2020/1138

20-444 Resolved that Council authorises Cr Coorey, Cr Lyon, and Cr Ndiaye to register as voting delegates for the Local Government NSW Annual Conference 2020 to be held virtually on 23 November 2020. (Lyon/Ndiaye)

The motion was put to the vote and declared carried.
Crs Richardson, Hackett and Martin were not present for the vote.

Report No. 13.15 **Delivery Program 6-monthly Report and 2019/20 Operational Plan Fourth Report - Q4 - to 30 June 2020**
File No: I2020/1169

20-445 Resolved that Council notes the Delivery Program 6-monthly Report and 2019/20 Operational Plan Fourth Quarter Report for the period ending 30 June 2020 (Attachment 1 #E2020/59640).

(Lyon/Ndiaye)

The motion was put to the vote and declared carried.
Crs Richardson, Hackett and Martin were not present for the vote.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.18 **Lot 12 Bayshore Drive - Site Strategy and Urban Design Protocol**
File No: I2020/1032

20-446 Resolved:

1. That Council adopt the Lot 12 Site Strategy & Urban Design Protocol as the guiding document establishing Council's vision and preferences for the future development of the site and an Expression of Interest. That additional wording be included to both these documents prior to their release to emphasise Council's intent that site access be designed to prioritise active connections/movements inter and intra the site, having regard to the site's location within the Arts and Industrial Estate.
2. That Council undertake an Expression of Interest process for the development of Lot 12 to seek developers/partners who are able to achieve Council's vision for the property.
(Cameron/Coorey)

The motion was put to the vote and declared carried.

Crs Richardson, Hackett and Martin were not present for the vote.

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 13.22 **Proposal to rename Granuaille Crescent Bangalow**
File No: I2020/21

20-447 Resolved:

1. Not endorse the renaming of Granuaille Crescent on the Southern side of Hinterland Way.
2. Request the NSW Ambulance to review its GPS and other databases to ensure they are kept up to date.
(Lyon/Cameron)

The motion was put to the vote and declared carried.

Crs Richardson, Hackett and Martin were not present for the vote.

Report No. 13.25 **Bus Shelter & Bus Stop Strategic Planning**
File No: I2020/1080

20-448 Resolved:

1. Undertake further investigations including direct community consultation targeted at school bus passengers, bus operators and other public transport users as well as a 'Have Your Say' process to identify bus shelter/bus stop needs and identification of safety issues for passengers and operators at all locations along bus routes.
2. Advertise for expressions of interest for a group that are able to meet requirements to manage and ensure compliance of the bus shelters at Huonbrook, Main Arm and Montecolum on Council's behalf.
(Cameron/Ndiaye)

The motion was put to the vote and declared carried.

Crs Richardson, Hackett and Martin were not present for the vote.

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PROCEDURAL MOTION

20-449 Resolved that Cr Cameron be granted a one minute extension to his speech. (Coorey/Ndiaye)

The motion was put to the vote and declared carried.

Crs Richardson, Hackett and Martin were not present for the vote.

Report No. 13.31 Submission to Reclassification of Regional Roads
File No: I2020/1184

20-450 Resolved:

1. That Council nominate to the Independent Panel for the NSW Regional Road Transfer and Road Classification Review, the following roads be reclassified as state roads:
 - a) MR545, including the Bypass and excluding Jonson Street and Lawson Street
 - b) MR679
 - c) MR689 excluding Brunswick Heads from Northern exit of roundabout on Eastern side of Pacific Motorway at the Southern end of Brunswick Heads to the roundabout at the Northern interchange with Hinterland Way/Pacific Motorway Brunswick Heads.
 - d) Bangalow Road
 - e) Hinterland Way (regional road component)
 - f) Repentance Creek road from Federal Drive to the Shire boundary
2. The submission identify the importance of access and policy regarding local priorities particularly works to establish active transport links.
3. That Council support Ballina Shire's submission with respect to MR545 and Lismore City Council's submission with respect to Repentance Creek Road and Dunoon Road MR306.
(Cameron/Coorey)

The motion was put to the vote and declared carried.

Crs Richardson, Hackett and Martin were not present for the vote.

REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

Report No. 14.5 Report of the Local Traffic Committee Meeting held on 28 July 2020
File No: I2020/1147

20-451 Resolved that Council note the minutes of the Local Traffic Committee Meeting held on 28 July 2020. (Cameron/Ndiaye)

20-452 Resolved that Council adopt the following Committee Recommendations:

Report No. 6.1 Bay Lane, Byron Bay - Proposed Closure Update
File No: I2019/2137

Committee Recommendation 6.1.1

That Council supports:

1. The people-focused activation of Bay Lane, Byron Bay through regulating access of vehicles into Bay Lane, subject to the following:
 - a) Vehicle access within Bay Lane, between chainages CH 0-75m (approx.), be prohibited generally between 5pm to 5am;

- b) Vehicle access between chainages CH 0-75m be permitted generally between 5am to 5pm; and
 - c) Detail design to be generally in accordance with drawing E2020/29627 and must include appropriate regulatory signage and relevant time plates;
2. The following modifications to traffic flow in Bay Lane:
- a) Maintaining one way traffic flow between chainages 0-75m (approx.);
 - b) Change traffic flow to two way between chainages 75-150m; and
 - c) Detail design to be generally in accordance with drawing E2020/29627 and must include appropriate regulatory signage and relevant time plates. (Cameron/Ndiaye)

20-453 Resolved that Council adopt the following Committee Recommendations:

Report No. 6.2 Event - Falls Festival

File No: I2020/952

Committee Recommendation 6.2.1

That Council endorse the Falls Festival 2020/21 to be held at the North Byron Parklands site, Yelgun from 31 December 2020 to 2 January 2021 (with campers arriving from 29th December 2020 and allowed to depart no later than 3rd January 2021), inclusive, subject to the following conditions:

- a) Separate approvals by NSW Police and TfNSW being obtained;
- b) The development of a Traffic Management Plan and Traffic Control Plan(s) by those with relevant TfNSW accreditation. These plans are to be submitted to Byron Shire Council at least 2 months prior to the event for approval of traffic regulation on roads under Byron Shire control;
- c) The Traffic Management Plan and the Traffic Control Plan to be implemented by those with relevant and current TfNSW accreditation;
- d) The temporary 'No Stopping' where applied, including on Brunswick Valley Way and Tweed Valley Way (between Shara Boulevard and north to the Shire boundary), is implemented prior to the event and in accordance with relevant state requirements and Australian Standards;
- e) A communications protocol be developed and maintained by those involved in the implementation of traffic management including monitoring during the event and ability to implement contingency plans as and when directed;
- f) Monitoring of vehicle volumes that arrive and depart the festival site and on the local road network;
- g) The holding of an event debrief within the month following the festival which includes but not limited to Council, TfNSW and Police;
- h) The event organiser:
 - i) advertising the impact of the event via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints;
 - ii) providing a copy of the advert for Council's web page;
 - iii) give consideration of any submissions received;
 - iv) informing community and businesses that are directly impacted (e.g. adjacent to the event) via written information which is delivered to the property in a timely manner so as to document, consider and respond to any concerns raised;
 - v) arranging for private property access and egress affected by the event;
 - vi) liaising with bus and taxi operators and ensuring arrangements are made for provision of services during conduct of the event;
 - vii) consulting with emergency services and any identified issues be addressed;

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- viii) holding \$20m public liability insurance cover which is valid for the event; and
- ix) paying of Council's Road Event Application Fee and Local Traffic Committee Fee prior to the event. (Cameron/Ndiaye)

20-454 Resolved that Council adopt the following Committee Recommendations:

Report No. 6.3 Events - Mullum2Bruns Paddle 20 September 2020

File No: I2020/1041

Committee Recommendation 6.3.1

1. That Council endorse the Mullum2Bruns Paddle 2020 to be held on a Sunday in September or October 2020 that includes:
 - a) date of event not conflicting with another Council-approved event in the shire on the same day, and
 - b) temporary road closure of Brunswick Terrace, Mullumbimby, between Tincogan St and Tyagarah St (to become one-way traffic), between 06:30am and 10:00am on date chosen.
2. That the approval provided in Part 1 is subject to:
 - a) the development of a Traffic Management Plan and Traffic Control Plan(s) for the 2020 event by those with relevant and current TfNSW accreditation;
 - b) the Traffic Control Plan being implemented by those with relevant and current TfNSW accreditation;
 - c) that the impact of the event be advertised via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints;
 - d) the event be notified on Council's webpage;
 - e) the event organiser:
 - i) undertake consultation with community and affected businesses including adequate response/action to any raised concerns;
 - ii) undertake consultation with emergency services and any identified issues addressed;
 - iii) holding \$20m public liability insurance cover which is valid for the event;
 - iv) paying Council's Road Event Application Fee prior to the event;
 - v) undertake a debrief within two weeks of the event involving event staff, Police (if they had incidents) and traffic controllers; and
 - vi) Submit a debrief report to Council with any future event application.

(Cameron/Ndiaye)

20-455 Resolved that Council adopt the following Committee Recommendations:

Report No. 6.4 Events - Bangalow Billycart Derby 2020 - Byron Street Road Closure 20 September 2020

File No: I2020/1042

Committee Recommendation 6.4.1

1. That Council endorse the Bangalow Billy Cart Derby to be held on a Sunday in September or October 2020 that includes:
 - a) date of event not conflicting with another council-approved event in the shire on the same day, and
 - b) temporary road closure of Byron Street, Bangalow between Ashton Street and Granuaille Road, between 6am and 4pm on date chosen.

2. That the approval provided in Part 1 is subject to:
 - a) Separate approvals by NSW Police and TfNSW being obtained, noting that the event is on a state road or may impact the state road network;
 - b) Traffic Control Plan(s) to be developed by people with the appropriate TfNSW accreditation;
 - c) Traffic Control Plan(s) to be implemented by people with appropriate accreditation;
 - d) That the impact of the event be advertised via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints; and
 - e) The event notified on Council's webpage.
3. That the event organiser:
 - a) Undertake consultation with community and affected businesses including adequate response/action to any raised concerns;
 - b) Undertake consultation with emergency services and any identified issues addressed;
 - c) Holding \$20m public liability insurance cover which is valid for the event; and
 - d) Pays Council's Road Event Application Fee prior to the event. (Cameron/Ndiaye)

20-456 Resolved that Council adopt the following Committee and Management Recommendations:

Report No. 6.5 Byron to Suffolk Cycleway - Changes to Bangalow Road

File No: I2020/1061

Committee Recommendation 6.5.1

1. That Council supports the modification of Bangalow Road as per the detailed designs (E2020/53823) including the following:
 - a) Adjustment of the existing road alignment, lane widths, line-marking, signage, bus-stop locations and crossings;
 - b) Addition of crossings, a bus stop and on-road cycle lanes.
 - c) The removal of some parking on both sides of Bangalow Road where necessary to enable space for bus stops and cycle lanes.
2. That council consider extending the project to ensure safe cycling and pedestrian access in and around the Browning St/Tennyson St roundabout.
3. That the amended plans be provided to community representatives on the TIAC for comment.

Management Recommendation

Management comments are provided at the end of this report.

(Cameron/Ndiaye)

20-457 Resolved that Council adopt the following Committee Recommendation:

Report No. 7.1 Road Safety Awareness

File No: I2020/805

Committee Recommendation 7.1.1

That the Local Traffic Committee provide comments and advice to staff as requested.

(Cameron/Ndiaye)

20-458 Resolved that Council adopt the following Committee Recommendations:

Report No. 7.2 Event - Chincogan Charge - 19 September 2020

File No: I2020/950

Committee Recommendation 7.2.1

That Council support the Chincogan Charge 2020 to be held on Saturday 19 September 2020, between 8:00am and 5:30pm, subject to:-

1. Traffic control plan(s) and a Traffic Management Plan (TMP) being designed by those with the appropriate and relevant TfNSW accreditation. The TCP(s) and TMP to include the closure of Dalley Street between Burringbar Street and Tincogan Street between 12.30pm-5.30pm;
2. The TCP to be generally in accordance with document E2020/46680;
3. Implementation of the approved Traffic Management Plan and Traffic Control Plan/s by those with appropriate TfNSW accreditation and the holding of current and appropriate levels of insurance and liability cover;
4. Separate approvals by NSW Police and TfNSW being obtained;
5. The impact of the event be advertised via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints;
6. The event be notified on Council's webpage;
7. Informing community and businesses that are directly impacted (e.g. adjacent to the event) via written information which is delivered to the property in a timely manner so as to document, consider and respond to any concerns raised;
8. Undertake consultation with emergency services and any identified issues addressed;
9. Hold \$20m public liability insurance cover which is valid for the event;
10. Pay Council's Road Event Application Fee and LTC application Fee prior to the event.
(Cameron/Ndiaye)

20-459 Resolved that Council adopt the following Committee Recommendations:

Report No. 7.3 Events - Byron Coast Charity Walk 12 September 2020

File No: I2020/1040

Committee Recommendation 7.3.1

1. That Council support the Westpac Life Saver Rescue Helicopter fundraiser, Byron Coast Charity Walk, to be held Saturday 12 September 2020, with an alternative date of Saturday 7 November 2020.
2. That Council support in Part 1 is subject to:
 - a) The development of a Traffic Management Plan and Traffic Control Plan(s) for the

2020 event by those with relevant and current TfNSW accreditation. The Traffic Control Plan(s) and Traffic Management Plan is to include, but is not limited to, the following:

- i) signage, which specifies the date, hours and nature of the event, be positioned at the entrance and exit of Seven Mile Beach Road one week prior to the event;
- ii) on the day of the event, at 500m intervals, and facing both directions of travel, signs advising of "Special Event – Charity Walk Ahead" (or similar) are installed prior, and removed after, the event occurs; and
- iii) a safety induction for participants advising of hazards be provided.
- b) Implementation of the Traffic Management Plan and Traffic Control Plans as designed by those with appropriate accreditation and implemented by people with appropriate accreditation, including traffic controllers.
- c) That the impact of the event be advertised via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
- d) The event is notified on Council's webpage.
- e) The event organiser:
 - i) Undertake consultation with affected community and businesses including adequate response/action to any raised concerns.
 - ii) Undertake consultation with emergency services and any identified issues addressed.
 - iii) Holding \$20m public liability insurance cover which is valid for the event.
 - iv) Paying Council's Road Event Application Fee prior to the event.

(Cameron/Ndiaye)

20-460 Resolved that Council adopt the following Committee Recommendations:

Report No. 8.1 Event - Byron Sunrise Run and Swim (was Byron Triathlon) 18 October 2020

File No: I2020/1043

Committee Recommendation 8.1.1

1. That Council endorse the Byron Sunrise Run and Swim to be held on Sunday 18 October 2020, which includes the temporary road closures detailed within report I2020/1043
2. That the approval provided in Part 1 is subject to:
 - a) Separate approvals by NSW Police and TfNSW being obtained, as required;
 - b) The development of a Traffic Management Plan and Traffic Control Plans for the 2020 event by those with relevant and current TfNSW accreditation;
 - c) The Traffic Control Plan being implemented by those with relevant and current TfNSW accreditation;
 - d) The impact of the event be advertised, and charged at cost to the organisers, via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints;
 - e) the event be notified on Council's web page;
 - f) The event organiser:
 - i) informing community and businesses that are directly impacted (eg within road closure zones) via written information which is delivered to the property in a

- timely manner so as to document, consider and respond to any concerns raised;
 - ii) arranging for private property access and egress affected by the event;
 - iii) liaising with bus, taxi and waste operators and ensuring arrangements are made for provision of services during conduct of the event;
 - iv) consulting with emergency services and any identified issues be addressed;
 - v) holding \$20m public liability insurance cover which is valid for the event;
 - vi) paying of Council's Road Event Application Fee prior to the event; and
 - vii) paying of Council's local traffic committee application fee prior to the event.
- (Cameron/Ndiaye)

URGENCY MOTION

PROCEDURAL MOTION

- 20-461 Resolved** that Council consider the urgent 'Fire Report' matter due to the imminent Bush Fire season, the recent fire in the Tweed and the release of the Bushfire Inquiry Report this week, it's a priority for Council to be prepared to respond to the upcoming potential fire risk and the opportunity to gain access to government funding quickly to assist in preparedness for the fire season.
- (Ndiaye)

The motion was put to the vote and declared carried.

Urgency No. 1 Matter of Urgency - Fire Report

- 20-462 Resolved** that Council:

1. Receives a report to the next Ordinary Meeting of Council in relation to the 2019/2020 bush fires in Byron Shire, that includes:
 - a) how interagency communications can be improved
 - b) the range and impact of the fires, including information on known fire history in those areas.
 - c) information regarding BSC role in fire management and other relevant local agency responsibilities.
 - d) information and evaluation of bush fire Neighbourhood Safe Places and Evacuation Centres and when and how evacuation takes place.
 - e) consideration of what impacts the fires may have on future planning decisions.
 - f) impact of the fire on the shire's residents and businesses and issues for future preparedness.
 - g) planning for the development of a community communications plan and business and in particular tourism accommodation.
 - h) coordination of and what assistance council can provide in community engagement.
 - i) consideration of relevant Bushfire Inquiry recommendations.
 - j) consideration be given to the recent report prepared by Rob Kooyman (ph)
 2. Acknowledges the professional response to last summer's fire's by Council staff.
 3. Also acknowledges that impacts of COVID-19 started occurring just weeks after drought, fires then floods.
- (Ndiaye/Coorey)

The motion was put to the vote and declared carried.

There being no further business the meeting concluded at 5:55pm.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 24 September 2020.



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Mayor Simon Richardson